App. F. IX-4

Previous References.

1941. (R.A) **File No.** 24-41

Serial Nos. 80

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. P-54/E12

Part B for

SUBJECT

Election Petition from Sri Puttaswamy Gowda Melavalli Taluk.

RL 1601 RA 24-41-80 dated 24-2-42.

To The compiler Mysore Gazette

Sd/- Sriyuth. Mahadevappa and R.M. Siddappa have been duly elected to R.A.

93/R

73
S.T. ~~41-42~~
41-42

From

The Election Commissioner,
New Public Offices,
Bangalore.

OFFICE OF THE SECRETARY
M.R.D.S.
4 AUG. 1941
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

To

The Secretary
to the Government of His Highness the
Maharaja of Mysore,
Law Department,
Bangalore.

LAW DEPT. MYSORE

No.

Dated 1-8-1941.

==========

Sir,

I have the honour to submit herewith my report in R.A.E.Mis.48 of 40-41 on the file of this Court. The receipt of the same may kindly be acknowledged.

I have the honour to be,

Sir,

Your most obedient servant,

Election Commissioner.

Serial No.

1) Subd for perusal. A. draft acknowledgment is put up for appl.

DBN
5.8.41.

Issue are putting today
KNN 5/8

BNN 5/8 2) Issued RO RL 34 dated 07/8/41

3) The file is re. subd as directed above

DBN
11/8/41.

BNN
11/8

4) The petition is filed by one Mr. Puttaswamy of Malavalli taluk, challenging the election of

Report of the Election Com.

RA File No. 93/2 of 1941-42 Gene

Serial No.

Messrs. Mahadevappa and R.M.Siddappa from the Malavalli Taluk Rural Constituency to the Representative Assembly.

The petition is as a result of the rejection of the notice of Candidature of the petitioner, by the Returning Officer on the following grounds:-

1) that the petitioner did not give his date of birth, but gave only his age in column 3 of the notice of candidature;

2) that it was not presented in time;

3) that there was defect in the appointment of the election agent since he appointed besides himself one Mr. H.V.Veere Gowda.

The Election Commissioner has found that failure to furnish particulars both as regards age and the ~~oath~~ date of birth is not a material irregularity as would invalidate the notice of candidature and also that the petition was presented within time. But the Commissioner has come to the conclusion that the notice of candidature was rightly rejected as the candidate could not appoint both himself and another person as an election agent as laid down in Rule 160 of the Representative Assembly Rules.

b) Further action will be taken to issue necessary orders in accordance with the report of the Election Commissioner as required by Rule 191 of the Representative Assembly Rules after the duration allowed for preferring appeals.

DBR MRV 12/8

of the Election Com.

RA Filo No. 93/2 of 1941-42

Serial No.

Messrs. Mahadevappa and R.M.Siddappa from the Malavalli taluk Rural Constituency to the Representative Assembly.

The petition is as a result of the rejection of the notice of Candidature of the petitioner, by the Returning Officer on the following grounds:-

1) that the petitioner did not give his date of birth, but gave only his age in column 3 of the notice of candidature;

2) that it was not presented in time;

3) that there was defect in the appointment of the election agent since he appointed besides himself one Mr. H.V.Veere Gowda.

a) The Election Commissioner has found that failure to furnish particulars both as regards age and the ~~oath~~ date of birth is not a material irregularity as would invalidate the notice of candidature and also that the petition was presented within time. But the Commissioner has come to the conclusion that the notice of candidature was rightly rejected as the candidate could not appoint both himself and another person as an election agent as laid down in Rule 160 of the Representative Assembly Rules.

b) Further action will be taken to issue necessary orders in accordance with the report of the Election Commissioner as required by Rule 191 of the Representative Assembly Rules after the duration allowed for preferring appeals.

Dfd 12/8

Report of the Election Comr. in RAE Mis 480 of 40-41

General and Revenue Secretariat
R. A. & L. C.

RA File No. 93/RL of 1941-42 [App. F. III-2

Serial No.

Subd

7) The petioner Mr. Puttaswamy Gowda has not preferred an appeal to the High Court against the decision of the Election Comr. within the period of limitation allowed by the rules in this behalf. And consequently the report of the Comr. dismissing the petition stands unaltered.

8) A draft Govt. order, under rule 19 of the R. A. rules, declaring Messrs Mahadevappa & R. M. Siddappa as the duly elected candidates to the R. A. from the Malavalli taluk Jenl. rural Constituency is submitted for approval.

Dbr

17/2/42.

BDR 17/2

Maybe approved

BKR 18.2.42

Law Secy)

May be approved

Dewan)

Hm 2 18-2-42

BKR 18.2.42

19/2

Hm 2 19-2-42

The Comptroller Royal Gazette Store

Notn no RL 160 RA 26-41-10

Dated 24/2/42

BKR 19-2-42

declares that Messrs Mahadevappa and R. M. Siddappa are the duly elected Candidates from the Malavalli taluk Jenl rural constituency

FICE 1942 7167

SECY. L. DEPT. 1480 18. 03. 1942 GOVT OF MYSORE

OFFICE OF THE SECY. 20 JULY 1948

NOTE—Contn. Sheet RESERVED FOR ASSEMBLY

WD 01925—GPB—1,000—4-3-41 LEGISLATIVE COUNCIL

IN THE COURT OF THE ELECTION COMMISSIONER IN MYSORE

BANGALORE.

Dated this 31st day of July 1941.

Present:

C. NARAYANASWAMY NAIDU, ESQ., B.A., B.L.,

Election Commissioner,

R. A. E. Mis. 48 of 1940-41.

Petitioner:- Vs. Respondents:-

Mr. Puttaswamy Gowda, son of Kempe Gowda, Vokkaligar, residing at Benamana Halli, Halagur Hobli, Malavalli Taluk.

1. Mahadevappa, Patel and Chairman, Dhangoor Kasba Hobli, Malavalli Taluk.

2. R.M. Siddappa, Chairman, Ragi Bommana Halli, Kiragaval Hobli, Malavalli Taluk.

I. Petition filed under Rule 173 of the Representative Assembly Rules of 1940.

II. The petition was filed on 15-3-1941 before the Government and the same was received by transfer in this Court on 19-4-1941.

III. The first respondent filed his objections on 28-6-1941 and the second respondent on 30-6-1941 that he would adopt the objections filed by the first respondent. The case came up for settlement of issues and the following issues were framed on 30-6-1941:

(1) Was the notice of candidature of the petitioner improperly rejected?

(2) Was he not bound to give not only his age but also the date of birth?

(3) Was it presented in time?

(4) Was there not defect in the appointment of the election agent?

(5) To what relief, if any, is the petitioner entitled?

IV. The case came up for arguments by adjournments

and

and the same were heard on 9-7-1941.

Mr. M.P. Somasekhara Rao appeared for the petitioner and Mr. H. Hombe Gowda appeared for the first respondent and the 2nd respondent by Mr. A.M. Rama Rao.

R e p o r t.

1. The notice of candidature of the petitioner was rejected on the grounds:

(a) that he did not give his date of birth but gave only the age in Column No.3;

(b) that it was not presented in time; and

(c) that there was defect in the appointment of the election agent, since he appointed besides himself Mr. H.V. Veere Gowda.

2. It is directed in Column No.3 of the notice of candidature that the age and date of birth have to be entered in it. The question to be decided is whether it is mandatory or only directory.

3. Rules 89 and 96 no doubt direct that the notice of candidature should be delivered to the Returning Officer completed in the manner prescribed in Form No.III and that the Returning Officer may reject it if it is not delivered completed in the manner prescribed in Form No.III. But rule No.23 provides that a person shall be qualified to be chosen in a territorial constituency to fill a seat in the Assembly if he has attained the age of 25 years and if he is entitled to vote in the choice of a member to fill that seat.

4. Rule No.23 is a substantive rule of law, while rule No.89 is a rule of procedure to be followed for completing and delivering the notice of candidature to the Returning Officer and therefore it cannot affect the right created by rule No.23.

5. As Justice Mookerji observed in Shaymchand Basak vs. Chairman Decca Municipality (I.L.R. 47 Calcutta 526), all rules are made for their observance, but in cases of their breach the object of the rules has to be found out, and if the object has been attained in spite of the breach, the transgression will have to be condoned and the words of the statute will be even stressed to secure the substance aimed at by the statute.

6. If no injustice is done and no general inconvenience is caused and if the object of the enactment is to be attained in spite of the breach the rule has to be held to be directory. Reference may also be had to pages 649 and 650 of Maxwell's Interpretation of Statutes, VI Edition.

7. In the present case no injustice would be caused if the rule is held to be directory for the election is usually expected to be by poll and it does not defeat the object of the enactment for rule 23 expressly lays down that every person, who has got the other qualifications, is entitled to stand provided he has attained the age of 25.

8. On the other hand, if it is held to be mandatory it would --

(a) defeat the right of a large number of qualified persons who do not know the dates of their birth, which is not the object of the enactment but which is against it, since it is nowhere laid down in the rules that those who cannot give their ages are ineligible; and

(b) follow that those who do not give their ages but enter their dates of birth are also ineligible as if the Returning Officer is unable to make a simple calculation.

9. Therefore I am inclined to consider that the age and date of birth are required to be given only to assist the Returning Officer to find out whether a - candidate has attained the required age and the word 'and' is usdd so that the date of birth also might be given, if it is known.

10. If the date of birth is not known how is the form to be filled up? Either it should be left blank or it should be entered in it 'not known'. In neither case can the Returning Officer get any help in determining the age of the candidate and when the column is left blank it may be inferred that the date of birth is not known to the candidate.

11. The general principle is that trivial and immaterial errors in filling up nomination papers cannot invalidate them, especially if there is no possibility of a mistake arising therefrom. See last Para, page 538 of Nanakchand's Law and Practice of Elections and Electio Petitions.

12. As was rightly observed by Nanakchand in the last para of page 137 of his Law and Practice of Election and Election Petitions, "The view that rule 11 is mandato and the slightest omission is fatal is wrong. The whole statute and the object of its various provisions must be looked at before a trivial omission which is not really material can be held to be sufficient to deprive a number of voters of their right to be represented."

13. And as was laid down in the Ambala Division Case reported at page 77 of Hammond's Election Cases 1920 to 1935, although meticulous accuracy need not be insisted upon, it is necessary in such circumstances to comply - substantially with the provisions of the foot note in the

14. Reference may be had in this connection to t reported in Hammond 77, Hammond 56, 2 Jagat Narain Jagat Narain 18, 4 Jagat Narain 22 and to pages 120 and 538 to 544 of Nanakchand's Law and Practice of Elections and Election Petitions.

15. The next question to be considered is what t turning Officer has to do if he entertains any doub provided by rule 96, he has to hold a summary inqui was held in the cases reported at pages 375 and 595 Hammond that he sould hold the inquiry in such case elaborate inquiry was necessary in the present case the candidate's age was 70 and a mere look at him w have convinced the Returning Officer that he was fa the required age.

16. For the above reasons, I hold that it is not cessary to enter both the age and date of birth, wh date of birth is not known to the candidate.

17. The next issue is whether the notice of cand was presented in time. The last day fixed for pres it was 3-1-1941. The notice was delivered at 3-40 on 2-1-1941. The Returning Officer received it on but rejected it on the date of scrutiny i.e. on 10- on the ground that it should have been presented be 3 P.M.

18. Now rule 89 lays down that on or before the spedified in clause (a) of rule 85 for the presents of notices of candidature, each candidate shall, be the hours of ~~am~~ eleven O'clock in the forenoon and O'clock in the afternoon, deliver to the Returning a notice of candidature. Therefore it may be deliv either on the date specified or before that date. time for delivery is between 11 A.M. and 3 P.M. If not

not delivered before 3 O'clock, but is offered to be delivered after 3 P.M. what has the Returning Officer to do. Ordinarily he may receive it or refuse to receive it. If he receives it, what should he do? two cases arise; (1) when it is delivered before the date specified and (2) and when it is delivered on the date specified.

19. Now rule 90 lays down that any notice of candidature, which is not received before three O'clock in the afternoon on the date appointed under clause (a) of rule 85 for the presentation of notices of candidature, shall be rejected.

20. Therefore, if it is presented on the date specified after 3 P.M., it has to be received and then rejected. But there is no correspondent provision regarding the notices delivered before the date specified. There is no rule giving a right to the Returning Officer to reject a notice presented before the date specified, but after 3 O'clock. Therefore he must refuse to receive it. If he receives it, he has no right to reject it. It can only be treated as having been received before 3 O'clock before the specified date. It is an irregularity which the Returning Officer must be held to have condoned by his act of receiving it. If he refuses to receive it, then the candidate will have an opportunity of presenting it before time on the last date. It will not be fair to the candidate if the Returning Officer receives it, keeps it till the date of acrutiny i.e. till long after the specified date and then tells him that his notice is rejected.

21. Therefore I hold that this ground of rejection is not proper.

22. I will now come to the most important issue in the case In the notice of candidature, the petitioner has appointed both himself and Mr. H.V. Veere Gowda as his election agents.

23. Rule 92 provides that every notice of candidature delivered under rule 89 shall be accompanied by a declaration in writing as shown in Form III subscribed by the candidate that the candidate has appointed, or does thereby appoint, as his election agent for the election either himself or some other person who is not disqualified under the provisions of any of these rules from being a member of the Assembly or the Council or from voting at elections and who shall be named in the declaration; and rule 160 lays down that every person standing as a candidate shall at the time and in the manner prescribed by the provisions of these rules, appoint either himself or some one other person to be his election agent.

24. Rule 160 provides for the appointment of an election agent, while rule 92 provides for the declaration of the appointment accompanying the notice of candidature. The word of rule 160 is therefore more important than the wording of rule 92. It is expressly provided by rule 160 that the candidate can appoint either himself or some one other person to be his election agent. Reading both the sections together it can only mean that the candidate can either appoint himself or some one other person. He can appoint only one person as an election agent.

25. This was the view taken in 1 Jagat Narain 9 known as Ballia case, in which it was observed: "The wording of the rule shows clearly that the candidate if he appoints himself as his own election agent, cannot appoint any one else." It was held that the appointment of more than one person would invalidate the nomination paper (or the notice of candidatur

26. Therefore I hold that the notice of candidature was

rightly

rightly rejected since it did not comply with the mandatory provisions of rule 92, which are in ~~xi~~ quite accordance with the provisions of rule 160.

27. The petition has therefore to be dismissed. Since the other grounds of rejection are not proper and the issues regarding them are found in favour of the petitioner, I direct ~~i~~ each party to bear his own costs.

Dictated to the Steno-typist and after revision signed.

ELECTION COMMISSIONER.

31-7-1991

NN.

R.A. & Mis 48/40-41

Civil 108]

TITLE PAGE.

Class III File ~~A.~~ C.

In the Court of the Election Commissioner of Bangalore.

Suit (or case) No. R.A. & Mis. 48 of 1940-41.

Name of first plaintiff (or applicant)

Mr. Puttaswamy Gowda.

Name of first defendant (or opponent)

Messers Mahadevappa Ramachandra

Date of decision 31-7-1941.

TABLE OF CONTENTS.

Suit (or Case) No. R.A. 2. mis. 48 of 1940-41.

Class. III File D

Serial number of paper	Sheets	Description	Value of court fee stamps	Remarks
1	2	3	4	5
1	1-2	order Sheet.	Rs. a. p.	
2	3-4	Application	2 - -	
3	5	Iry. Challan		
4	6.	Respondent's Statement		
5	7.	Issues.		
6	8.	Notice of Candidature.		
7	9-11	Vakalats.	1 8 -	
8	12.	Iry. challan.		
9				
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14				
15				
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17				
18				
Total value of court fee stamps ...		On plaint	2 - -	
		On other papers	1 8 -	

WD 02361—GPB—150,000—8-10-38

B-o.

Veerappa

Sheristedar.

Form No. 102, Civil.

R A E P 1

ORDER SHEET

In the Court of the Election Commissioner Bangalore.

R.A.E. Petn 17/40 No. 48 of 1940-41

Puttaswamy Gowda *Versus* 1. Mahadevappa 2. R.M. Siddappa

(Petr) (Respondents)

Serial No. of paper	Date of order or proceeding	Order or proceeding with signature of presiding officer	Signature of parties or pleaders when necessary
		Maddya Rural Constituency.	
	10-5-41	The petition is filed under Rule 173 of the R.A. Rules 1940, stating that the rejection of the notice of candidature is erroneous and unsustainable and prays for setting aside the election and ordering fresh election including him as a candidate	
		Issue notice to parties and for Gazette Publication by ~~9-6-41~~ 7-6-41	
		Call for the necessary records from the returning Officer by that date.	
		E.C. 5	

Form No. 102, Civil.

ORDER SHEET

In the Court of

No. of 19

Versus

Serial No. of paper	Date of order or proceeding	Order or proceeding with signature of presiding officer	Signature of parties or pleaders when necessary
		Before Mr. M. P. S. Cumaraswamy J. and Mr. S. Sharvananda J.	
		1st respdt by Mr. H. H. Gowda	
		2nd respdt by Mr. A. N. Ramadas	
		Arguments heard	
		Hearing resumed on 16.7.84	
		Cur. adv. vult	
		9.8.84	
		per Cur. - M. P.	
		1st Respdt by - H. H. Gowda	
		2nd Respdt by - A. N. Ramadas	
		4 points involved in this case and	
		nos 9 & 17 are common. Reports were	
		submitted in nos 9 & 17. The Court is	
		engaged from today in hearing connected	
		cases. Further arguments will be heard after	
		the decision is given by the High Court	
		in nos 9 & 17 on points of law	
		R.D.	

will be moved no.

Posting up on 2-9-41

Ans. 7

8. 7. 1941. One of the points involved in this case is similar to that decided in this Court in W.P. No. [illegible] and heard. As the writ petition filed in this case is not yet admitted, 2 days court notices. by 31-7-1941

Ans
2-8-7

31-7-41 Petn by M.M.P.S. Rao for the R. R.

1st Respdt by Mr. H. H. Jogiah

2nd Respdt by Mr. A. V. R. Rao. adv.

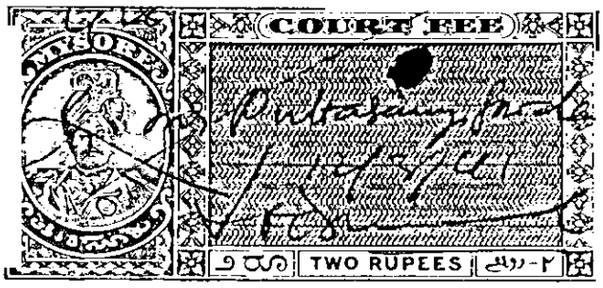
Court notices issued to advocates

from.

Respondents counter

Ans 7

Ans
3-8-7



Treasury receipt dtd returned 24/3

By Regd Post

14 MAR 1941 GOVT. OF MYSORE

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Election Petition No. 48 of 1940-1941.

PETITIONER:

Puttaswamy Gowda, son of Kempe Gowda, vokkaligar, aged about 70 years residing at Benamana Halli, Halagur Hobli, Malavalli Taluk.

OPPONENTS:

1. Mahadevappa, Patel & Chairman, Dhangoor, Kasaba Hobli, Malavalli Taluk.
2. R.M. Siddappa, Chairman, Ragi Bommana Halli, Kiragaval Hobli, Malavalli Taluk.

R.A. & Pet No 48 (Mavoja Rural)

UNDER RULE 173 OF THE MYSORE REPRESENTATIVE ASSEMBLY RULES 1940.

The petitioner abovenamed begs to state as follows:-

1. That he had duly filed his notice of candidature signifying his intention to stand as a candidate for election to the Mysore Representative Assembly from Malavalli Taluk Rural area, his number in the electoral roll being 1232.

2. That the said notice was rejected by the Returning Officer on grounds indicated in the copy of the Order enclosed herewith.

3. That such rejection is erroneous and unsustainable for the reasons, among others, set-forth hereunder.

4. That the Election held without the petitioner is liable to be set aside; and the petitioner prays that the election of the opponents gazetted on 20-2-1941 be set aside and fresh election ordered.

5. The petitioner encloses herewith a Treasury

Treasury Receipt No. R.A 28 dated 27. 2. 1941. issued by the Treasury for deposit of Rs. 100/- as required by the Rules.

GROUNDS:

a) The first ground of rejection is that the date of birtn is not given in the notice of candidature by the petitioner. The petitioner has given the age and could not give the date of birth since he did not remember it. It may be pointed out that this is not a material circumstance. The Rules merely lay down that the age of the candidate should not be less than 25 years to entitle him to stand as a candidate. And the object of calling upon the candidate to mention the age or the date of birth is only to ensure this condition. In any event it is submitted that the direction to give the date of birth is merely directory It is obvious that the petitioner is above 25 years.

b) The next ground of rejection is that the notice of candidature was delivered to the Returning Officer at 3-40 P.M., on the 2nd of January, 1941, that is the day previous to the last day for delivering such - notices according to the calendar of events. This circumstance it may be pointed out has not been uniformally observed as a ground of rejection. In fact the petitioner has learnt that directions were issued by the concerned authority to the Returning Officers in some places not to observe this circumstance as a material consideration and thus to throw out the notice of candidature. Even otherwise the notice thus - delivered ought to be deemed to have been delivered in time on the next day so long as the notice has been delivered before the time for filing it has expired according to the calendar. It may also be seen that even the Returning Officer does not choose to treat the delivery as invalid in view of the fact that he

he does not propose to act under Rule 90 and reject the application straight away. Further it may be submitted that had he done so the petitioner was still in time to present another notice of candidature the next day under Rule 96 sub Clause (2).

c) The last ground of rejection is that the petitioner has in his notice of candidature appointed himself and anotner in the declaration appointing Election Agents, under Rule 92. This circumstance is not a material ground to vitiate the notice. The candidate is by law required to function as an Agent. He can appoint Agents and cancel such appointment whenever he chooses under Rule 162. Rule 92 merely lays down that the declaration that an Election Agent has been appointed should be made. It cannot be construed that the candidate's right to be responsible for his acts just as an Agent is ~~are~~ is taken away.

It may be pointed out that the notice of candidature delivered by the petitioner has complied with all the material requirements that are necessary to fix his identity, to declare his right to stand as a candidate. The grounds urged against the notice are not tenable.

B a n g a l o r e,

I, the petitioner abovenamed, do hereby declare that what is stated above is true to the best of my knowledge, information and belief.

B a n g a l o r e,

IN THE COURT OF THE ELECTION COMMISSIONER

BANGALORE.

-*-

R.A.Election Misc.No: 48/40-41.

PETITIONER: RESPONDENTS:

Puttaswamy Gowda -VS- 1. Patel Mahadevappa.
2. R.M.Siddaiya.

FIRST RESPONDENT'S STATEMENT.

The First Respondent most respectfully begs to state as follows:--

1. That the Order of the Returning Officer rejecting the Petitioner's notice of candidaturex on all the three grounds mentioned in the order is perfectly right. All the objections raised - against the order in the course of the present petition are all untenable.

2. The other allegations and surmises made in the course of the petition which are vague and indefinite are not admitted by this Respondent.

Wherefore this Respondent prays that - this Hon'ble Court be pleased to dismiss the - petition with costs of this Respondent.

ADVOCATE FOR THE
RESPONDENT.

I do Solemnly declare that what has been stated above is true to the best of my knowledge & belief this today 9-7-48

W. Hamilton

IN THE COURT OF THE ELECTION COMMISSIONER IN MYSORE

BANGALORE.

R. A. E. Mis. '48 of 1940-41.

Petitioner:- Vs. Respondents:-

Puttaswamy Gowda.

1. Mahadevappa.
2. R.M. Siddappa.

Issues.

1. Was the notice of candidature of the petitioner improperly rejected?

2. Was he not bound to give not only his age but also the date of birth?

3. Was it presented in time?

4. Was there not defect in the appointment of the election agent?

5. To what relief, if any, is the petitioner entitled?

Election Commissioner.

30/6

Certified to be a true copy of the Notice issued by the Returning Officer to the 4th respondent in Election Petition No. 94 of 1941

3/1/41

III ನೆಯ ನಮೂನೆ.

ಉಮೇದುವಾರನಾಗಿ ನಿಲ್ಲಲು ಇಷ್ಟವನ್ನು ಸೂಚಿಸಿ ಕಳುಹಿಸುವ ಉಮೇದುವಾರಿಕೆ ನೋಟೀಸು.

(89ನೆಯ ನಿಬಂಧನೆ.)

ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆ.

1.	ಉಮೇದುವಾರನು ಚುನಾವಣೆಗಾಗಿ ನಿಲ್ಲಬೇಕೆಂದು ಇಷ್ಟ ಪಡುವ ಚುನಾವಣೆ ಸ್ಥಾನದ ಹೆಸರು	ಮಳವಳ್ಳಿ ತಾಲ್ಲೂಕು (Rural area)
2.	ತಂದೆಯ ~~ಗಂಡನ~~ ಹೆಸರು	ಕೆ. ಕೇಶವರು.
3.	ವಯಸ್ಸು ಮತ್ತು ಹುಟ್ಟಿದ ತಾರೀಖು	೪೦ ವರ್ಷಗಳು (ಕೃತ್ತಿಕೆ ನಾಮ ಸಂವತ್ಸರ)
4.	ವಿಳಾಸ	ಕೃಷ್ಣರಾಮಿಪುರ. ಚಿನಮುವಡಳ್ಳಿ ಹಲಗೂರು ಹೋಬಳಿ. ಮಳವಳ್ಳಿ ತಾಲ್ಲೂಕು.
5.	ಗಂಡಸೇ ಅಥವಾ ಹೆಂಗಸೇ	ಗಂಡಸು
6.	* ಯಾವ ಪಂಗಡಕ್ಕೆ ಸೇರಿದವರು	ಜಾತಿಯಲ್ಲಿ ಪಂಚಮ.
7.	† ಚುನಾವಣೆದಾರರ ಪಟ್ಟಿಯಲ್ಲಿ ಉಮೇದುವಾರರ ಸಂಖ್ಯೆ	1232

ನಾನು ಚುನಾವಣೆಗಾಗಿ ~~ಉಮೇದುವಾರನಾಗಿ~~ ನಿಲ್ಲಲು ಅರ್ಹತೆಯನ್ನು ಪಡೆದಿರುತ್ತೇನೆಂದು ಪ್ರಮಾಣಪೂರ್ವಕವಾಗಿ ಈ ಮೂಲಕ ಹೇಳುತ್ತೇನೆ. ನನ್ನ ಚುನಾವಣೆ ಮುತಾಲೀಕರನ್ನಾಗಿ (ಎಲೆಕ್ಷೆಂಟ್ ಪಜೆಂಟರನ್ನಾಗಿ) ಹಾಗೂ ಮೆ. ಕೆ. ಎಸ್. ವೀರಪ್ಪ ಗೌಡ ~~ಸಾಂಪ್ರದಾಯಿಕ ಪುಟ್ಟಿ ಹಾಗೂ ಮಿಶ್ರಿತ ಸಾಂಪ್ರದಾಯಿಕ ಸಾಮೂಹಿಕ ಮೆಚ್ಚಿಂಬಿಗಾರುಕೆಲ್ಸಕ್ಕೆ~~ ನೇಮಕಮಾಡಿರುತ್ತೇನೆ.

ಮತ್ತೆ ಹಾಗೂ H. V. ವೀರಪ್ಪ ಗೌಡ ಎಂಬುವವನು ಸಹ

ತಾರೀಖು 2 · 1 · 1941

ಕೃಷ್ಣಗೌಡ

~~ಉಮೇದುವಾರನ~~ ಉಮೇದುವಾರರು.

ರಿಟರ್ನಿಂಗ್ ಆಫೀಸರವರಿಗಾಗಲಿ ಅಥವಾ ಇದನ್ನು ತೆಗೆದುಕೊಳ್ಳಲು ಅಧಿಕಾರ ಪಡೆದಿರುವ ಇತರ ಆಫೀಸರಿಗಾಗಲಿ, ಅವರ ಕಛೇರಿಯಲ್ಲಿ 1941ನೆಯ ಇಸವಿ ಜನವರಿ ತಿಂಗಳಿನ 3 (ಮೂರನೆಯ) ತಾರೀಖಿನ ದಿನ ಅಥವಾ ಆದಕ್ಕೆ ಮುಂಚೆ ಬೆಳಗ್ಗೆ ಹನ್ನೊಂದು ಗಂಟೆಯಿಂದ ಮಧ್ಯಾಹ್ನ ಮೂರು ಗಂಟೆಯೊಳಗಾಗಿ ತಲಪುವಂತೆ ಕಳುಹಿಸಿದರೆ ಹೊರತು, ಉಮೇದುವಾರರಾಗಿ ನಿಲ್ಲಲು ಇಷ್ಟವನ್ನು ನೋಟಿಸು ಕಳುಹಿಸಿತಕ್ಕ ಈ ಉಮೇದುವಾರಿಕೆ ನೋಟೀಸು ಸಿಂಧುವಾಗತಕ್ಕುದಲ್ಲ.

(ಹಿಂಭಾಗದಲ್ಲಿ ಮುದ್ರಿಸಿರುವ ಸರ್ಟಿಫಿಕೇಟುಗಳನ್ನು ದಯವಿಟ್ಟು ನೋಡಿ.)

ನೂಟನೆ.—* ಈ ಕಲಮಿನಲ್ಲಿ, ಮುನರ್ಕಾನ ಪಂಗಡಕ್ಕೆ ಸೇರಿದವರೆ, ಭಾರತೀಯ ಕ್ರೈಸ್ತಪಂಗಡಕ್ಕೆ ಸೇರಿದವರೆ, ಯೂರೋಪಿಯ್ ಪಂಗಡಕ್ಕೆ ಸೇರಿದವರೆ, ಆಂಗ್ಲೋ-ಇಂಡಿಯ್ ಪಂಗಡಕ್ಕೆ ಸೇರಿದವರೆ ಅಥವಾ ಸಾರ್ವತ್ರಿಕ ಪಂಗಡಕ್ಕೆ ಸೇರಿದವರೆ, ಎಂಬುದನ್ನು ನಮೂದಿಸಬೇಕು. ವಿಶೇಷ ನ್ಯಾಯವಾದ ಚುನಾವಣೆ ಸ್ಥಾನಗಳ ಸಂಬಂಧದಲ್ಲಿ ಈ ಕಲಮನ್ನು ಭರ್ತಿ ಮಾಡಬೇಕಾಗಿಲ್ಲ.

† ಚುನಾವಣೆದಾರರುಗಳ ಪಟ್ಟಿಯನ್ನು ಒಳವಿಭಾಗ ಮಾಡಿರುವಾಗ ಮತ್ತು ಪ್ರತಿ ಒಳವಿಭಾಗದಲ್ಲಿಯೂ ದಾಖಲಾಗಿರುವ ಚುನಾವಣೆದಾರರುಗಳಿಗೆ ಪ್ರತ್ಯೇಕವಾದ ಜಿಜರು ಸಂಖ್ಯೆಯನ್ನು ಕೊಟ್ಟಿರುವಾಗ ಈ ಉಮೇದುವಾರನ ಹೆಸರು ದಾಖಲಾಗಿರುವ ಒಳವಿಭಾಗದ ವಿವರಣೆಯನ್ನೂ ಕೊಟ್ಟಿರಬೇಕು.

ಒಂದು ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿ ಯಾವ ಚುನಾವಣೆ ಸ್ಥಾನದಲ್ಲಿ ಬೇಕಾದರೂ ಉಮೇದುವಾರನಾಗಿ ನಿಲ್ಲಲು ಹಕ್ಕುಳ್ಳ ನಿಮ್ಮ ತರಗತಿಯ ಒಬ್ಬ ಉಮೇದುವಾರನ ವಿಷಯದಲ್ಲಾದರೆ, ಅತನು ಚುನಾವಣೆದಾರನೆಂದು ರಿಜಿಸ್ಟರಾಗಿರುವ ಚುನಾವಣೆದಾರರ ಪಟ್ಟಿಯು ಸಂಬಂಧಪಡುವ ಚುನಾವಣೆ ಸ್ಥಾನದ ಹೆಸರನ್ನು ಮತ್ತು ಅದರಲ್ಲಿ ಅತನಿಗೆ ಕೊಟ್ಟಿರುವ ಸಂಖ್ಯೆಯನ್ನೂ ಈ ಕಲಮಿನಲ್ಲಿ ನಮೂದಿಸಬೇಕು.

(ಉಮೇದುವಾರನಾಗಿ ನಿಲ್ಲಲು ಇಷ್ಟವನ್ನು ನೋಟಿಸಿ ಕಳುಹಿಸುವ ಉಮೇದುವಾರಿಕೆ
ನೋಟೀಸಿನ ನಮೂನೆಯ ಹಿಂಭಾಗ.)

ಬಂದು ತಲಪಿದುದರ ಸರ್ಟಿಫಿಕೇಟ್.

ಪಂಜರು ನಂಬರು A

ಈ ಉಮೇದುವಾರಿಕೆ ನೋಟೀಸು 19 41 ನೆಯ ಇಸವಿ ಫಿನವರಿ ತಿಂಗಳು
ತಾರೀಖಿನ 3.40 ಗಂಟೆಯ ಸಮಯದಲ್ಲಿ ನನ್ನ ಕಛೇರಿಗೆ ತಲುಪಿಸಲ್ಪಟ್ಟಿತು.

ಉಮೇದುವಾರಿಕೆ ನೋಟೀಸಿನ ಪ್ರತಿಯು ದಿ 10.1.40 ನೇ
ದಿನಾಂಕದಲ್ಲಿ ಪೋಸ್ಟಿನಲ್ಲಿ ಹಾಕಲ್ಪಟ್ಟಿದೆ
ಎಂಬುದಾಗಿ ಕಂಡುಬರುತ್ತದೆ.
1.3.40 2.1.41

Lyngaraya Reddy 2/1/41
ರಿಟರ್ನಿಂಗ್ ಆಫೀಸರವರ ಅಥವಾ ಅಧಿಕಾರ ಪಡೆ
ದಿರುವ ಇತರರ ರುಜು.

ಪರಿಶೀಲನೆಯ ಸರ್ಟಿಫಿಕೇಟ್.

ಈತನು ಉಮೇದುವಾರನಾಗಿ ನಿಲ್ಲಲು ಅರ್ಹತೆಯನ್ನು ಪಡೆದಿರುತ್ತಾನೆಯೆ ಎಂಬುದನ್ನು ನಾನು ಪರಿಶೀಲಿಸಿ ನೋಡಿರುತ್ತೇನೆ. ಈತನು ಚುನಾವಣೆಗಾಗಿ ನಿಲ್ಲಲು ಅರ್ಹತೆಯನ್ನು ಪಡೆದಿರುತ್ತಾನೆಂದು ನನಗೆ ನನ್ನ ಪರಿಶೀಲನೆಯಿಂದ ಕಂಡುಬಂದಿದೆ.

ತಾರೀಖು..... 19

ರಿಟರ್ನಿಂಗ್ ಆಫೀಸರವರ ಅಥವಾ ಅಧಿಕಾರ ಪಡೆ
ದಿರುವ ಇತರರ ರುಜು.

I have scrutinised the eligibility of the Candidate and found the following irregularities in the nomination of Candidature

1) The nomination of Candidature was delivered in person on at 3.40 P.M on 2/1/41 and not between the hours of Eleven o'clock in the forenoon and three o'clock in the afternoon as required by Rule 89 of the Mysore Representation Assembly Rules 1940.

2) On account of omission to note the date of birth in Col 3 vide the form the nomination of Candidature cannot be construed as having been completed in the manner prescribed in Form III as required by Rule 8

3) In the accompanying declaration regarding the appointment of an Election Agent names of two persons have been given while according to Rule 92 only one agent has to be appointed.

As on account of the above irregularities there has been failure to comply with the provisions of above Rule 89 and 92 I find the nomination of Candidature is not valid and therefore reject under Rule 96 Cl (4) (b) read with Rule 89 and 92

Lyngaraya Reddy 10/2/41
Returning Officer

WD 876—GPB—1,500—3-12-40

COURT FEE ಎಂಟಾಣೆ EIGHT ANNAS

ಕೋರ್ಟಿನಲ್ಲಿ

Before the Election Commissioner in Mysore Bangalore

ಬೆಂಗಳೂರು

1940-1941 ನೇ ನಂಬರು 48

ವಾದಿಯಾ ಅರ್ಜಿದಾರ್ ಪ್ರತಿವಾದಿಯಾ ಆಪೊನೆಂಟ್

..... } Vs. { .....

ವು||ರಾ||ಕೆ.ಟಿ.ಭಾಷ್ಯಂ ಅಂಡ್ ಅಯ್ಯಂಗಾರ್ಸ್, ಬಿ.ಎ.ಬಿ.ಎಲ್, ಮತ್ತು

ಎಂ.ಶೇಷಾದ್ರಿ, ಬಿ.ಎ.ಎಲ್.ಬಿ. ಅಡ್ವೊಕೇಟ್ಸ್‌ರವರಿಗೆ

..... ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಅಪೈರುವರೆಗೂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ವಿವಾದ ನಡೆಸುವುದಕ್ಕೂ ನ ಪರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರೀಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲು ಮಾಡಿ ಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟ್‌ನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು, ಪ್ರೊಸೆಸ್ ಸ್ಯಾಂಪು, ವಾಸ್ಯಾಂವು ಸಹ ಪಡೆಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸುಪಡೆಯಲಿಕ್ಕೂ, ಮೇಲ್ಕಂಡ ಕೇಸಿನಲ್ಲಿ ರಾಜಿ ಿ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ ಮೊಕದ್ದಮೆಯನ್ನು ವಾಪಸ್ ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ನಿಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ಿಯಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇರುತ್ತೇನೆ.

ದಿನ 7/6/41 } ರುಜು .....

ಮೊಕ್ತಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿ ಿಸ್ತರಾಗಿ ಸಮಕ್ಷವು ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

..... ಅಡ್ವೊಕೇಟ್ಸ್

ಈ ಮೊಕ್ತಾರುನಾಮ ಅಂಗೀಕರಿಸಿದ್ದೇನೆ.

..... ಅಡ್ವೊಕೇಟ್ಸ್

ಇಂಡಿಯನ್ ಪ್ರೆಸ್, ಬೆಂಗಳೂರು ಸಿಟಿ.

COURT FEE EIGHT ANNAS

XV
121
7/6

In the Court of the Election Commr., Bangalore

R.A. Ele. No. 48

Case No. *of* 1941-1941.

PLAINTIFF		DEFENDANT
Petitioner Puttaswamey Gowda	Vs	Rept. 1. Patel Mahadevaiya 2. R.C. Siddappa

for R 85 os
W
Ele.
7/6/41

I. I the 1st Respt above named do, by these presents retain Mr. H. HOMBE GOWDA, B.Sc., LL.B., Advocate, to appear for and conduct the above case on my behalf to Judgement.

2. I further empower him to do all the necessary acts in the above case and to execute any decree or order that may be passed in my behalf, and to receive from the court all documents, refunds, and all sums of money that may be entitled to get and grant receipts therefor.

3. I also undertake to confirm and ratify all the legal acts done by the said Advocate or any other on his behalf in so doing.

× ಪಟೇಲ್ ಮಹದೇವಯ್ಯ

Accepted

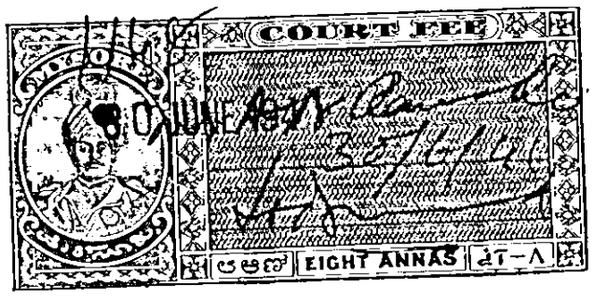
H. Hombe Gowda

Advocate for Respt

Dated 7/6 1941.

Signed before me and personally known to me

A. N. RAMA RAO, B.A., B.L.
ADVOCATE
Balepet, Bangalore City



In The Court of The Election Commissioner Mysore Bangalore

30 JUNE 1941

RA&Mis No. 48 OF 1940-1941 ~~193 -19~~ .

Appellant ~~Plaintiff~~		*Respondent ~~Defendant~~*
Puttaswamy Gowda	**Vs.**	R. M. Siddappa Patel Mahadevappa

I. The 2nd respondent abovenamed do, by these presents, retain Mr. A. N. Rama Rao, B.A., B.L., Advocate, to appear and conduct the above case on my behalf to judgment.

2. I further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in my behalf, and to receive from the Court all documents, refunds and all sums of money that I may be entitled to get and grant receipts therefor.

3. I also undertake to confirm and ratify all the acts done by the said Advocate or by any other Advocate on his behalf in so doing.

R. M. Siddappa

BANGALORE CITY,
28/6/41 19 .

Personally known to me and signed in my presence.—ACCEPTED.

A. Rama Rao
Advocate.

A. Rama Rao
Advocate for 2nd Respondent.

Sourashtra Press, Chickpet, Bangalore City

Pt-I 1 4

Finl. 2, Article 8.] ORIGINAL (ಅಪಜು) 2-1-41 [M. C. A. C., Vol. I,

ಖಜಾನೆಗೆ ಹಣ ವಾವತಿ ಮಾಡುವ ಬಗ್ಗೆ ದರಖ.

Chellan for Payment of Money into the Treasury.

This receipt is not binding or valid on Government unless it is signed by the (1) Accountant / Sheristedar and (2) Treasurer or Treasury Officer / Shroff for sums over Rs. 500 in District / Taluk Treasury.

14 2/1/41 12

No. ....

ಖಜಾನೆಯ ಹೆಸರು.

Chellan for payment of money into the Treasury at ಮುಳವಳ್ಳಿ

By whom paid ಯಾರಿಂದ	On what account ಯಾವ ಬಗ್ಗೆ	Head of account in the treasury accounts ಯಾವ ಲೆಕ್ಕಕ್ಕೆ ಜಮಾ ಆಗತಕ್ಕದ್ದು	Amount ಮೊಬಲಗು Rs. ರೂ	a. ಆ.	p. ಪೈ
ಮುಳವಳ್ಳಿ ಸರ್ಕಲ್ ಮುಳವಳ್ಳಿ ಮುಳವಳ್ಳಿ	ಡಿ.ವಿ.ಪಿ ಪೆಟ್ಟಿಗೆ ಖಲಾಸು ಮುಳವಳ್ಳಿ ತಾಲ್ಲೂಕಿನಿಂದ (Rural area) ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗೆ ಚುನಾವಣೆಗಾಗಿ ಸಾ. ಇಂದು ಸರವನಕ್ಕೆ ಬಂದಿದ್ದು	R. D.	150	-	-
(In words) ಮೊಬಲಗು ಅಕ್ಷರದಲ್ಲಿ		Total ... ಜುಮ್ಲಾ	150	-	-

Date 19 . ತಾರೀಖು 2. 1. 41

Received Rupees 150-0-0 ಹಣ ವಾವತಿ ಮಾಡುವವರ ರುಜು.

Rs one hundred and fifty only Signature of Remitter.

and credited under ..... (*vide* item No. ....of subsidiary register for .....

Treasury
The 2/1 19 41

TALUK TREASURY -2 JAN 1941

Initials of Treasurer. Shroff. Initials of Head Accountant. Nagadi Gumasta. Signature of Treasury Office

FORM 2.

Instructions. (*Vide* Article 5, Mysore Civil Account Code, Volume I.)

1. Any person paying money into a Government Treasury will present with it a chellan in this form which will show distinctly the nature of payment, the person or officer on whose account it is made and the head of account in the treasury accounts to which the amount has to be credited, and will thus contain all the information necessary for the preparation of the receipt to be given in exchange.

2. The chellan should be presented in duplicate. One copy (Original) will be returned to the tenderer duly signed as a receipt, and the other (Duplicate) retained in the Treasury for record.

3. Receipts for sums less than Rs. 500 do not require the signature of the Treasury Officer but only of the Accountant and the Treasurer, except receipts for money paid for service stamps, which should always be signed by the Treasury Officer. Receipts in a Taluk Treasury will be signed by Sheristedar and Shroff.

4. Receipts should bear the name of the treasury and be stamped with the treasury stamp (seal). It should distinctly show the date of issue, the designation of the officer granting it and the head of account to which the amount was credited.

WD 04212—GPB—1,000 books of 100 pages each—17-10-39

Civil 108]

TITLE PAGE. (*Blue*)

Class III File I

In the Court of the Election Commissioner, B, lore. of

Suit (or Case) No. R.A. & mis. 48 of 1940-41.

Name of first plaintiff (or applicant):—

Mr. puttaswamy gowda.

Name of first defendant (or opponent):—

Messers. Mahadevappa & another.

Date of decision 31-7-1941.

WD 04597—GPB—13,000—2-1-40

Class III

File. 9

1. Application of Mr. putswami gowda.
2. Memo.
3. Court Notice.
4-5 Dockets (original & duplicate)
6 - Postal acknowledgment.
7. postal Receipt.
8. Notice.

B-0

Sheristedar.

From

The Amildar
Malavalli Taluk.

To

The Election Commissioner
in Mysore Bangalor

Sir,

I beg to submit herewith the
with its enclosures
in this
Application of Candidature of Mr.
Putta Saing Gowda presented before the
Returning officer Representative Assembly
General Rural Constituency Malavalli
Taluk as required in order No. 105/40-
for favour of kind perusal. In this
connection, I beg to submit that the
in this
Applications of Candidature presented
by
by the Respondents messrs. Mahadevapp
R. M. Siddappa & other connected papers
have been separately submitted by
Registered Post in connection with
Case No 49/40-41 on the file of this Court.

I beg to remain

Sir

Your most obedient ser

Amildar
25/5/41.

Fy 54
27-5-41.
Rec on 21 MAY 1941 post
This Relates to this 48/work
file with records

In the Court of the Election Commissioner in Mysore, Bangalore.

R. A. E. Mis. 48/40-41.

Petitioner. Vs. Respondents.

Mr. Puttaswamy Gowda,
S/O, Kempegowda, Vokkaligar,
Benamanahalli,
Halagoor Hobli,
Malavalli Taluk.

(1) Mr. Mahadevappa.

(2) ". R. M. Siddappa.

Please take notice that the above case has been advanced from 2-9-1941 to 31-7-1941, for being heard and you are hereby requested to appear in court at 11:0' Clock forenoon on 31-7-41 to represent your Case.

By Order,

Sheristedar.

Copy to Messers,

1. M. P. Somashekara Rao, Esqr.,
B.A. B.L. Advocate for
Petitioner.

2. H. Hombe Gowda. B. Sc. LL.B. Advocate for 1st Respondent.

3. A. N. Rama Rao. B. A. LL. B. Advocate for 2nd respondent.

No. 105 / 40-41
Enc.

Office of the Election Commissioner
in Mysore, Bangalore, Dated 21-5-41.

From

The Election Commissioner,
New Public Offices,
Bangalore.

To

The Deputy Commissioner
Mandya District
M a n d y a.

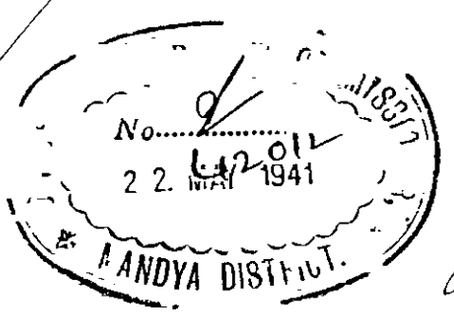
Sir,

Re: Mis. 48/40-41 (Malavalli Taluk Rural)
Petitioner:- Vs. Respondents:-

Mr. Puttasamy Gowda

1. Mr. Mahadevappa,
2. " R.M. Siddappa.

I have the honour to request that the documents mentioned in the margin relating to the above mentioned Election Petition filed in connection with the Representative Assembly may kindly be sent to this Court at an early date.



I have the honour to be,
Sir,
Your most obedient servant,

Election Commissioner.

1. Notices of Candidature presented by the Petitioner and Respondents.
2. Orders passed by the Returning Officer on them.
3. The connected Electoral Roll.
4. Other connected papers.

---o---

C1- 3510/40-41.

Office of the Deputy Commissioner,
Kandya District,
Kandya, dated 22-3-1941.

O R D E R.

Forwarded to the Sailder Malavalli Taluk for immediate transmission of the required documents dir to the [illegible] by registered post and to intimate this Office at once.

Sub
P 23/4 Subordinate
He 344/40

Kanz Hussain
Per Deputy Commissioner,
Kandya District.

ce of the Election Commissioner

Enc. in Mysore, Bangalore, Dated 21-5-41.

From

The Election Commissioner,
New Public Offices,
Bangalore.

To

The Deputy Commissioner,
Mandya District,
Mandya.

Sir,

Re: Mis.48/40-41 (Malavalli Taluk Rural)
Petitioner:- Vs. Respondents:-
Mr. Puttasamy Gowda 1. Mr. Mahadevappa,
2. " H.D. Siddappa.

I have the honour to request that the documents mentioned in the margin relating to the above mentioned Election Petition filed in connection with the Representative Assembly may kindly be sent to this Court at an early date

I have the honour to be,
Sir,
Your most obedient servant,

Election Commissioner.

1. Notices of Candidature presented by the Petitioner and Respondents.
2. Orders passed by the Returning Officer on them.
3. The connected Electoral Roll.
4. Other connected papers.

---o---

R.A.F. M.U. 48/wors 19.7.6.44

Acknowledgment.

To be returned to office of posting for delivery to sender.)

CEIVED a registered* No.

ed to (name) Maha Devappa. Dhangoor
Malavalli Taluk

d for Rs.

hing (*in words*)

ure of addressee

delivery

fo[illegible] rates

21-5-1941

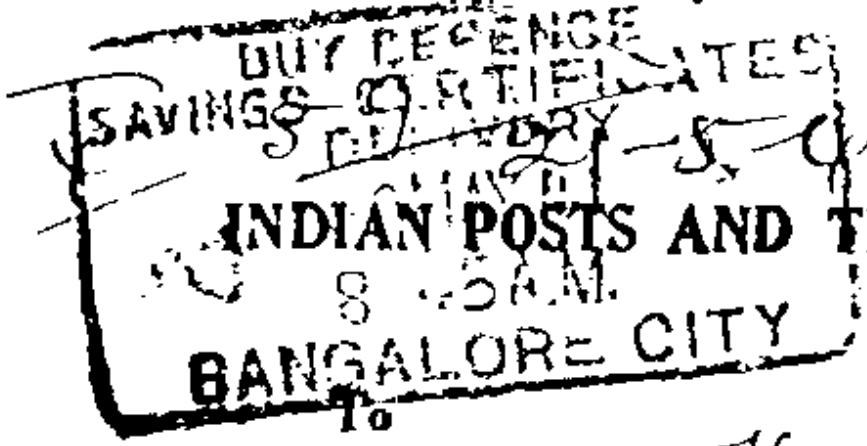
*Write here "letter," "postcard," "packet," or "parcel," as the case may be, preceded by "insured" if the article is registered.

To be filled up only in the case of insured articles, and to be scored out in the case of articles.

hand & Sons, Printers, Calcutta—No. 3[illegible]—2-40—10,000 Blks,

-10/37.]

30 MAY 1941



INDIAN POSTS AND TELEGRAPHS DEPARTME

To

Sender's name and address.

The Election Commiss
The new public offic
Bangalore cit

Name-stamp of office of posting.

R.A.F. 48/mm. H9.7.6.41 59/21-5-41

P-54

Acknowledgment

27 MAY 1941

6(a)

155

(To be returned to office of posting for delivery to sender.)

RECEIVED a registered* No.

addressed to (name) R. M. Siddappa. Ragi Bommanahalli. Kirgavalu Hobli. Malavalli Taluk

† Insured for Rs.

Weighing (*in words*) ಕೆ. ಮ. ಸಿದ್ದಪ್ಪ

Signature of addressee

Date of delivery 24-5-1941.

---

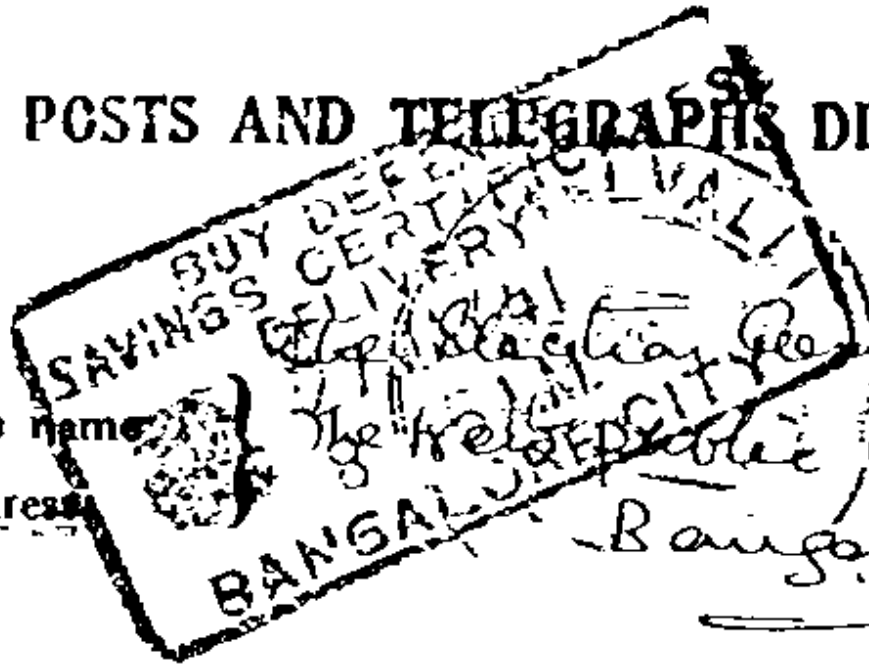
* Write here "letter," "postcard," "packet," or "parcel," as the case may be, preceded by the word "insured," if the article is insured.

† To be filled up only in the case of insured articles, and to be scored out in the case of other articles.

Lal Chand & Sons, Printers, Calcutta—No. 8200R (A-6[illegible])

(M. 3-10/37.)

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.



To

Sender's name and address

The Telegraph Office
Bangalore city

Name-stamp of office of posting.

Received a registered* [illegible]
addressed to [illegible]

[illegible]

*Write here "letter," "postcard," "packet" or "parcel" with the word "insured" before it when necessary.

Initials of Receiving Officer.

If insured.

Insured for Rs. (in figures) _____ *(in words)* _____

_____

Weight / *Rates*

Insurance fee Rs. _____ *As.* _____ *(in words).* / *Tolas*

Name and address of sender.

No. 155

For Insurance Notices see reverse.

Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post and Telegraph Guide or on which no acknowledgment is due.

Rs. [illegible] As.
Date-stamp.

Received a registered* _____
addressed to [illegible]

[illegible]

*Write here "letter," "postcard," "packet" or "parcel" with the word "insured" before it when necessary.

Initials of Receiving Officer.

If insured.

Insured for Rs. (in figures) _____ *(in words)* _____

_____

Weight / *Rates*

Insurance fee Rs. _____ *As.* _____ *(in words).* / *Tolas*

Name and address

(2) The special conditions and restrictions as to insurance which will be found in the current edition of the Post and Telegraph Guide are binding upon every sender of an insured postal article by virtue of rules prescribed under the Indian Post Office Act, 1898.

NOTICE (1).—The Post Office is not responsible for loss or damage in the case of inland registered articles, unless they are also insured.

(2) The special conditions and restrictions as to insurance which will be found in the current edition of the Post and Telegraph Guide are binding upon every sender of an insured postal article by virtue of rules prescribed under the Indian Post Office Act, 1898.

No. 154 For Insurance Notices see reverse.

Stamps affixed except in case of uninsured letters of not more than the

Notice to show cause.
General Form.
Form No. 71 (Civil).

IN THE COURT OF the Election Commissioner AT Bangalore

SUIT No. RAE misc 48 OF 1940-1941

Arsanna Gounder (Applicant) vs. (1) Mahadevappa (Opponent) R.M. filed affd

To the petr and respondents 1&2

Whereas the abovenamed petr has made application to the Court that as per copy attached herewith

You are hereby warned to appear in this Court in person or by a Pleader duly instructed on the 19th day of June 1941 at o'clock in the forenoon, to show cause against the application, failing wherein, the said application will be heard and determined *ex parte*.

Given under my hand and the seal of the Court, this 19th day of May 1941

Appendix F G–1]
R. A. & L. C.

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat
R. A. & L. C.

( )

Date of issue 5. 8. 41

Signed by M. K. Varadarajan

Section.

File No.

Serial No.

No. RL 349

To

The Election Commr.
New Public Offices
Bangalore

Sir,

I am directed to acknowledge in R.A.E. No. 48 of 40-41 the receipt of your report sent along with your letter dated 1st Aug 1941.

I have the honour to be
Sir
Your most obedient servant
for Secy to Govt
Law Dept

BVN.
5/8

List of enclosures .....

Copied by .....

Examined by .....

RL 349

The Election Commissioner,
New Public Offices,
Bangalore.

Sir,

I am directed to acknowledge the receipt of your report in R.A.E. Mis. 48 of 1940-41 sent along with your letter dated 1st August 1941.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government
Law Department,

NOTIFICATION

No. R.L. 1601 / R.A. 24-41-80 dated 24-2-42.

3 copies

Orders by the Government of His Highness the Maharaja under the provisions of Rule 191 of the Representative Assembly Rules, 1940, in respect of R.A.E. No.48 of 40-41 on the file of the Election Commissioner.

WHEREAS Mr./Messrs. Mahadevappa, Patel and Chairman Dhanjoor, Kasaba Hobli, Malvalli taluk and R.M. Siddappa, Chairman ... Kirapaval Hobli, Malavalli taluk,

were declared by the Returning Officer, under ~~sub rule 2 of~~ Rule 146 of the Representative Assembly Rules, 1940, to have been duly elected as 4 members of the Representative Assembly from the Malavalli taluk General Rural Constituency;

AND WHEREAS an election petition was duly presented to Government under clause (a) of sub rule (1) of Rule 172 of the aforesaid Rules by Mr. Puttaswamy Gowda, Resing at Benaramahalli, Halapur Hobli, Malavalli taluk, a candidate for the said constituency;

AND WHEREAS the Government of His Highness the Maharaja in exercise of the powers conferred by the provisions of sub rule (1) of Rule 178 of the Representative Assembly Rules, 1940, by Notification No.8834-C.B.161-40-10, dated 16th April 1941, appointed Mr. C. Narayanaswamy Naidu, B.A., B.L., as Election Commissioner, for the trial of election petitions and by Notification No.R.L.3478-C.A.113-40-3, dated 18th April 1941, transferred this petition to the said Commissioner for a report in accordance with the provisions of Rule 178 of the aforesaid rules;

AND WHEREAS the said Election Commissioner has in accordance with the provisions of sub rule (8) of Rule 188 of the

aforesaid rules, forwarded to Government his report dismi the petition;

NOW THEREFORE the Government of His Highness the Mah in exercise of the powers conferred by sub rule (2) of Ru. 191 of the aforesaid rules, are hereby pleased, in accord with the report of the Election Commissioner, to declare ~~Messrs~~ Mahadevappa and R.N. Siddappa

the returned candidates have been duly elected to the Repre tive Assembly from the Mala Valli taluk

General Rural Constituency and to order further that the tion be dismissed and that ~~the Petitioner~~ each party may bear his Costs of the petition.

~~shall pay Rs. ..... as costs awarded t the Election Commissioner's Court to the respondent in~~

By Order,

18.2.42
Secretary to Government,
Law Department.
17/2/42

To The Compiler, Mysore Gazette, for publication in Part III of the Gazette and for supplying 25 copies to the Secretariat.

Memo No: R.L. 1602 and R.L. 1603.

Copy of the above is forwarded with compliments to (1) D.C. Mandya District, (2) Secy, B.A. & L.C. for information

By Order,

For Secretary to Government,
Law Department.
17/2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

R.L.16.01 / R.A. 24-41-80.

General and Revenue Secretariat,

Dated Bangalore, 24th February 1942.

NOTIFICATION.

Orders by the Government of His Highness the Maharaja under
ıe provisions of Rule 191 of the Representative Assembly Rules, 1
ı respect of R.A.E.Mis.48 of 40-41 on the file of the Election
›mmissioner.

WHEREAS Messrs. Mahadevappa, Patel and Chairman, Dhangoor,
ısaba Hobli, Malvalli Taluk, and R.M. Siddappa, Chairman, Ragibom
ılli, Kiragaval Hobli, Malavalli taluk, were declared by the Retur
ıg Officer, under Rule 146 of the Representative Assembly Rules, 1
› have been duly elected as members of the Representative Assem
:om the Malavalli Taluk General Rural Constituency;

AND WHEREAS an election petition was duly presented to Gove
ınt under clause (a) of sub rule (1) of Rule 172 of the aforesaid
ıles by Mr. Puttaswamy Gowda, residing at Benamanahalli, Halagur
›bli, Malavalli Taluk, a candidate for the said constituency;

AND WHEREAS the Government of His Highness the Maharaja in
ercise of the powers conferred by the provisions of sub rule (1)
' Rule 178 of the Representative Assembly Rules, 1940, by Notifica
ion No.3834-C.B.161-40-10, dated 16th April 1941, appointed
'. C. Narayanaswamy Naidu, B.A.,B.L., as Election Commissioner
ıe trial of election petitions and by Notification No.R.L.347
3-40-3, dated 18th April 1941, transferred this petition to
ıid Commissioner for a report in accordance with the provisio
ıle 178 of the aforesaid rules;

AND WHEREAS the said Election Commissioner has in accor
ıith the provisions of sub rule (3) of Rule 188 of the aforesa
Rules forwarded to Government his report dismissing the peti

NOW THEREFORE the Government of His Highness the Maha in
exercise of the powers conferred by sub rule (2) of Rule 19[illegible]e

aforesaid rules, are hereby pleased, in accordance with the report of the Election Commissioner, to declare that Messrs. Mahadevappa and R.M. Siddappa the returned candidates have been duly elected to the Representative Assembly from the Malavalli Taluk General Rural Constituency and to order further that the petition be dismissed and that each party may bear his costs of the petition.

By Order,

Sd/- H.V.Narayana Rao,

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in Part III of the Gazette and for supplying 25 copies to the Secretariat.

Memo No: R.L. 1602 and R.L. 1603.

Copy of the above is forwarded with compliments to (1) D.C. Mandya, (2) Secretary, R.A. & L.C. for information.

By Order,

B.K. Ramakrishnaiya

For Secretary to Government,
Law Department.

HK

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. R.L.1601 / R.A.24-41-80. General and Revenue Secretariat,

Dated Bangalore, 24th February 1942.

NOTIFICATION.

Orders mf by the Government of His Highness the Maharaja nder the provisions of Rule 191 of the Representative Assembly Rule: 940, in respect of R.A.E.Mis.48 of 40-41 on the file of the Electio: ommissioner.

WHEREAS Messrs.Mahadevappa, Patel and Chairman, Dhangoor, asaba Hobli, Malvalli Taluk and R.A. Siddappa, Chairman, Ragibommana alli, Kiragaval Hobli, Malavalli Taluk, were declared by the Return: fficer, under Rule 146 of the Representative Assembly Rules, 1940 to ave been duly elected as members of the Representative Assembly rom the Malavalli Taluk General Rural Constituency;

AND WHEREAS an election petition was duly presented to Govern- ent under clause (a) of sub rule (1) of Rule 172 of the aforesaid ules by Mr. Puttaswamy Gowda, residing at Banamanahalli, Halagur obli, Malavalli taluk, a candidate for the said constituency;

AND WHEREAS the Government of His Highness the Maharaja in xercise of the powers conferred by the provisions of sub rule (1) f Rule 178 of the Representative Assembly Rules, 1940, by Notifica- ion No.3834-C.B.161-40-10, dated 16th April 1941, appointed r. C. Narayanaswamy Naidu, B.A.,B.L., as Election Commissioner, for he trial of election petitions and by Notification No.R.L.3478-R.A. 13-40-3, dated 18th April 1941, transferred this petition to the sa: ommissioner for a report in accordance with the provisions of Ru 78 of the aforesaid rules;

AND WHEREAS the said Election Commissioner has in accordan e provisions of sub rule (3) of Rule 188 of the aforesaid arded to Government his report dismissing the petition

ORE the Government of His Highness the Maharaja powers conferred by sub rule (2) of Rule 191 of t

aforesaid rules, are hereby pleased, in accordance with the report of the Election Commissioner, to declare that Messrs. Mahadevappa and R.M. Siddappa, the returned candidates, have been elected to the Representative Assembly from the Malavalli Taluk General Rural Constituency and to order further that the petition be dismissed and that each party may bear his costs of the petition.

By Order,

B.R. Ramakrishnaiya

for Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in the Part III of the Gazette and for supplying 25 copies to the Secretariat.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. R.L.1601/R.A.24-41-80. General and Revenue Secretariat,

Dated Bangalore, 24th February 194

NOTIFICATION.

Orders mf by the Government of His Highness the Maharaja under the provisions of Rule 191 of the Representative Assembly Ru 1940, in respect of R.A.E.Mis.48 of 40-41 on the file of the Elect Commissioner.

WHEREAS Messrs.Mahadevappa, Patel and Chairman, Dhangoor, Kasaba Hobli, Malvalli Taluk and R.A. Siddappa, Chairman, Ragibomm halli, Kiragaval Hobli, Malavalli Taluk, were declared by the Retu Officer, under Rule 146 of the Representative Assembly Rules, 1940 have been duly elected as 2 members of the Representative Assembly from the Malavalli Taluk General Rural Constituency;

AND WHEREAS an election petition was duly presented to Gove ment under clause (a) of sub rule (1) of Rule 172 of the aforesaid Rules by Mr. Puttaswamy Gowda, residing at Bamanahalli, Halagur Hobli, Malavalli taluk, a candidate for the said constituency;

AND WHEREAS the Government of His Highness the Maharaja in exercise of the powers conferred by the provisions of sub rule (1 of Rule 178 of the Representative Assembly Rules, 1940, by Notifi tion No.3834-C.B.161-40-10, dated 16th April 1941, appointed Mr. C. Narayanaswamy Naidu, B.A.,B.L., as Election Commissioner, the trial of election petitions and by Notification No.R.L.3478-H 113-40-3, dated 18th April 1941, transferred this petition to the Commissioner for a report in accordance with the provisions of Ru 178 of the aforesaid rules;

AND WHEREAS the said Election Commissioner has in accordan with the provisions of sub rule (3) of Rule 188 of the aforesaid rules, forwarded to Government his report dismissing the petition

NOW THEREFORE the Government of His Highness the Maharaja exercise of the powers conferred by sub rule (2) of Rule 191 of t